

The Honorable Judge John C. Coughenour

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

## **STATE OF WASHINGTON, et al.,**

## Plaintiffs,

v.

**DONALD TRUMP**, in his official capacity as President of the United States, *et al.*,

## Defendants.

NO.: 2:25-CV-00127-JCC

**CONSENT MOTION OF AMERICA'S  
FUTURE, GUN OWNERS OF AMERICA,  
INC., GUN OWNERS FOUNDATION,  
CITIZENS UNITED, U.S.**

**CONSTITUTIONAL RIGHTS LEGAL  
DEFENSE FUND, LEADERSHIP  
INSTITUTE, AND CONSERVATIVE LEGAL  
DEFENSE AND EDUCATION FUND FOR  
LEAVE TO FILE BRIEF *AMICUS CURIAE*  
IN OPPOSITION TO PLAINTIFFS' MOTION  
FOR PRELIMINARY INJUNCTION**

## **NOTE ON MOTION CALENDAR: January 31, 2025**

On the grounds and for the reasons set forth below, movants, through undersigned counsel, pursuant to F.R.Civ.P. 7, move this Court for leave to file a brief *amicus curiae* in opposition to Plaintiffs' motion for preliminary injunction.

1 Counsel for Plaintiffs and Defendants have consented to this Motion and to the filing of  
2 the attached brief *amicus curiae*. This brief is timely as it is being filed by the deadline allowed  
3 for Defendants' brief in opposition to the motion for preliminary injunction and within the  
4 appropriate page limits.

5 Movants America's Future, Gun Owners Foundation, U.S. Constitutional Rights Legal  
6 Defense Fund, Leadership Institute, and Conservative Legal Defense and Education Fund are  
7 exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code  
8 ("IRC"). Movants Gun Owners of America, Inc. and Citizens United are exempt from federal  
9 income taxation under IRC Section 501(c)(4). Each organization participates actively in the  
10 public policy process, and has filed numerous *amicus curiae* briefs in federal and state courts,  
11 defending a proper interpretation of the U.S. Constitution.

13 **I. THIS CASE PRESENTS A CONSTITUTIONAL MATTER AND STATUTORY ISSUE  
14 OF GREAT IMPORTANCE.**

15 This case raises significant questions of constitutional and statutory interpretation with  
16 respect to whether President Trump's Executive Order at issue is lawful. The Executive Order  
17 invalidates birthright citizenship, which is a concept that Plaintiffs claim to be rooted in the  
18 Fourteenth Amendment.

19 **II. THE AMICUS CURIAE BRIEF ADDRESSES ARGUMENTS RAISED BY PLAINTIFFS  
20 AND SUPPLEMENTS ARGUMENTS RAISED BY DEFENDANTS.**

21 Movants' proposed *amicus curiae* brief submitted with this Motion supports the position  
22 of Defendants, but supplements the arguments and authorities that it anticipates the  
23 Defendants will provide in their opposition to the Motion for Preliminary Injunction. The *amicus*  
24 *brief* provides relevant history of the Fourteenth Amendment and the Immigration and  
25 Nationality Act, as well as historical explanation of the error in Plaintiff's reading of *Yong Kim*

1 Ark and other Supreme Court decisions.

2 **III. THE ACCEPTANCE OF BRIEFS *AMICUS CURIAE* HAS BEEN FOUND USEFUL IN  
3 CASES SUCH AS THIS.**

4 District courts have inherent power to grant leave to file briefs *amicus curiae*, as they  
5 often “provide helpful analysis of the law[,] they have a special interest in the subject matter of  
6 the suit[,] or existing counsel is in need of assistance.” *Bryant v. Better Business Bureau of  
7 Greater Maryland, Inc.*, 923 F.Supp. 720, 728 (D. Md. 1996). Furthermore, this Court has  
8 already granted leave of other *amici* to file an *amicus* brief in support of Plaintiffs’ Motion for  
9 Preliminary Injunction. See Doc. No. 70, Order Granting Unopposed Motion of *Amici* Local  
10 Officials (Jan. 29, 2025). For the reasons stated above, it is believed that this *amicus* brief will  
11 inform the Court’s effort to resolve the question before it.

12 Given the nationwide significance of this case, and its profound implications for all  
13 Americans, movants respectfully request leave to file the accompanying brief *amicus curiae* in  
14 opposition to Plaintiffs’ Motion for Preliminary Injunction.

15 DATED this 31<sup>st</sup> day of January, 2025.

16 Respectfully submitted,

17 /s/ Richard B. Sanders  
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25 America’s Future, et al.

## **Certificate of Service**

I hereby certify that I served the foregoing Consent Motion for Leave to File Brief  
*Amicus Curiae* in Opposition to Plaintiffs' Motion for Preliminary Injunction on behalf of the  
parties using the Court's Electronic Case Filing system.

January 31, 2025

/s/ Richard B. Sanders

Richard B. Sanders